

(6C3)

Atty Dkt SABI-031/00US
8325-2008
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on APRIL 29, 2003

4/29/03

Date

Jas G

Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CHOO et al.

Serial No.: 09/996,484

Group Art Unit: 1639

Filing Date: November 28, 2001

Examiner: Ponnaluri, Padmashri

Title: MOLECULAR SWITCHES

TRANSMITTAL LETTER

U.S. Patent and Trademark Office
Box Sequence, P.O. Box 2327
Arlington, VA 22202

Sir:

Enclosed are the following in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed April 10, 2003 in the above-identified case:

- 1) copy of the Response to Notice to File Missing Parts submitted April 1, 2002, including a Sequence Listing and a Preliminary Amendment;
- 2) the Sequence Listing in computer-readable format;
- 3) Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825; and
- 4) copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

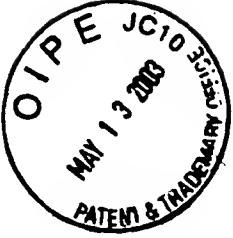
The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 03-3117.

Respectfully submitted,

Date: 28 April 03

By: Dahna S. Pasternak
Dahna S. Pasternak
Registration No. 41,411
Attorney for Applicants

COOLEY GODWARD LLP
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Telephone: 650-843-5000
Facsimile: 650-857-0663



Atty Dkt 8325-2004
G8-US1
USSN:09/996,484
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 01 - APRIL - 2002.

4/1/02

Date

J-SB

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CHOO and ULLMAN

Conf. No.: 2713

Serial No.: 09/996,484

Art Unit: unassigned

Filing Date: November 28, 2001

Examiner: unassigned

Title: MOLECULAR SWITCHES

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Box Missing Part
Washington, D.C. 20231

Sir:

This is in response to the Notice to File Missing Parts dated January 31, 2002. Transmitted herewith for filing are the following documents:

- 1) a copy of the Notice to File Missing Parts;
- 2) a Declaration for Utility Patent Application (dates have been entered in the European manner, i.e. day/month/year);
- 3) a Power of Attorney by Assignee (with a copy of the Assignment);
- 4) a Certificate Under 37 CFR 3.73(b) (with a copy of the Assignment);
- 5) an abstract of the technical disclosure as required under 37 CFR 1.72(b);
- 6) a Sequence Listing in paper copy and computer-readable format;
- 7) a Statement to Support Filing and Submission in Accordance With 37 CFR 1.821-1.825;

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G8-US1
USSN:09/996,484
PATENT

8) a Preliminary Amendment w/ attached Version with markings to show changes made;

9) a Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account; and

10) a check in the amount of \$65 (surcharge, \$65) to cover the fees required.

Applicants claim small entity status.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: April 1, 2002

By: Dahna Pasternak
Dahna S. Pasternak
Registration No. 41,411

ROBINS & PASTERNAK LLP
545 Middlefield Road, Suite 180
Menlo Park, CA 94025
Telephone: (650) 325-7812
Fax: (650) 325-7823



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/996,484	11/28/2001	Yen Choo	8325-2004

ROBINS & PASTERNAK LLP
Suite 200
90 Middlefield Road
Menlo Park, CA 94025



CONFIRMATION NO. 2713
FORMALITIES LETTER



OC000000007395749

Date Mailed: 01/31/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be

submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DSP



UNITED STATES PATENT AND TRADEMARK OFFICE

SAB1-081/locus
 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,484	11/28/2001	Yen Choo	8325-2004 G8-US1	2713

23419 7590 04/10/2003

COOLEY GODWARD, LLP
 3000 EL CAMINO REAL
 PALO ALTO SQUARE
 PALO ALTO, CA 94306



EXAMINER

PONNALURI, PADMA SHRI

ART UNIT

PAPER NUMBER

1639

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

8325-2008

revised Seq List 5/10/03
 LD 9/10/03

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APR 15 2003



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/996,484	11/20/01		

EXAMINER	
P. Ponnaluri	
ART UNIT	PAPER NUMBER
1639	10
DATE MAILED:	

Please find below a communication from the EXAMINER in charge of this application

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). Applicants have filed CRF and a disk to comply with sequence rules on 4/23/02. However, all the sequences in the specification do not comply with sequence rules (applicants are required to amend the specification to include SEQ ID Nos next to the sequences). Thus, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

(Note: applicants are requested to check the specification, claims and the drawings, so that all the sequences in the application are in compliance with sequence rules.)

APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

PLEASE NOTE: A reply to a notice to comply with the sequence rules should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

**1. Electronically submitted through EFS-Bio
(<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)**

**2. Mailed to:
U.S. Patent and Trademark Office**

**Box Sequence, P.O. Box 2327
Arlington, VA 22202**

3. Mailed by Federal Express, United Parcel Service or other delivery service

to:

**U. S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Box Sequence
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202**

4. Hand Carried directly to the Customer Window at:

**2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03, Box Sequence,
Arlington, Virginia 22202**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to P. Ponnaluri whose telephone number is (703) 305-3884. The examiner is on **Increased Flex Schedule** and can normally be reached on Monday to Friday from 7.00 AM to 3.30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang, can be reached on (703) 306-3217. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

P. Ponnaluri
Primary Examiner
Technology center 1600
Art Unit 1639
04 April 2003



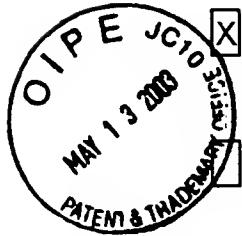
PADMASHRI PONNALURI
PRIMARY EXAMINER

Application No.: **09/996,484**

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

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MAY 22, 2003
TECH CENTER 1600
U.S. PATENT & TRADEMARK OFFICE

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
7. Other: All the sequences in the specification do not comply with sequence rules.

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

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